

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MIGUEL MARTINEZ,)
vs.) Plaintiff(s),) Case No. 2:15-cv-00883-MMD-NJK
LAS VEGAS METROPOLITAN POLICE, et al.,) Defendant(s).) ORDER GRANTING APPLICATION
TO PROCEED *IN FORMA PAUPERIS*
AND DENYING MOTION TO EXTEND
PRISON COPY WORK LIMIT
(Docket Nos. 3, 4)

Pending before the Court is Plaintiff Migeul Martinez's renewed application to proceed in this action *in forma pauperis*. Docket No. 3. Previously, Plaintiff filed an incomplete application, which the Court denied. Docket No. 2. Plaintiff's renewed application includes the previously missing inmate account statement and executed financial certificate. *See* Docket No. 3. Plaintiff has demonstrated that he qualifies to proceed *in forma pauperis*. Accordingly, the Court grants his request to proceed *in forma pauperis*.

Plaintiff must pay an initial partial filing fee of the greater of twenty percent of the average monthly deposits or twenty percent of the average monthly balance of his account for the six months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is \$00.00, and his average monthly deposit is \$00.00. Therefore, Plaintiff's initial partial filing fee would be \$00.02. In light of the *de minimus* nature of the initial partial filing fee, the Court will not require it to be made at this time.

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Nonetheless, Plaintiff must make installment payments to the extent required by 28 U.S.C. § 1915(b)(2). To that end, High Desert State Prison shall forward to the Clerk of the United States District Court, District of Nevada, twenty percent of the preceding month's deposits to Plaintiff's inmate trust account (in the months that the account exceeds \$10.00) until the full \$350 filing fee has been paid for this action. The Clerk of the Court shall send a copy of this Order to the Finance Division of the Clerk's Office. The Clerk shall also send a copy of this Order to the attention of the inmate accounts department at High Desert State Prison, 22010 Coldcreek Rd., Indian Springs, NV 89018.

The Court will screen Plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2) by separate order. As the Court has not yet screened Plaintiff's complaint, Plaintiff's motion to extend prison copy work limit (Docket No. 4) is hereby **DENIED** as premature.

IT IS SO ORDERED.

Dated: June 12, 2015

NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE